

**Posted – June 1, 2012**

**REGULAR MEETING JUNE 4, 2012**

**TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND**

**The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Monday, June 4, 2012 at 7:00 P.M. (Budget Adoption – 6:00 PM - Charter Revisions – 6:15 PM) at the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island.**

**Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**RECONSIDERATION**

**The Middletown Town Council follows the codification of present-day general parliamentary law as articulated in Robert's Rules of Order**

**Newly Revised 10th edition (2000), together with whatever rules of order the Council has adopted for its own governance. The motion to reconsider is one of the motions that can bring a question again before an assembly, and is designed to bring back for further consideration a motion which has already been voted on:**

**If, in the same session that a motion has been voted on, but no later than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to Reconsider [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been considered. (From Robert's Rules of Order Newly Revised In Brief, Robert, Evans et al., De Capo Press, 2004)**

## **BUDGET ADOPTION – 6:00 PM**

### **1. An Ordinance of the Town of Middletown**

**An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenues of the General Fund for the Fiscal Year July 1, 2012 to June 30, 2013, as amended”.**

### **2. Resolution of the Council, re: Tax Levy Resolution.**

**3. An Ordinance of the Town of Middletown**

**An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenues of the Parks and Recreation Fund for the Fiscal Year July 1, 2012 to June 30, 2013, as amended”.**

**4. An Ordinance of the Town of Middletown**

**An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenues of the Sewer Fund for the Fiscal Year July 1, 2012 to June 30, 2013, as amended”.**

**5. An Ordinance of the Town of Middletown**

**An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenue of the Refuse and Recycling Fund for the Fiscal Year July 1, 2012 to June 30, 2013, as amended”.**

**CHARTER REVISIONS - 6:15 PM**

**6. Memorandum of Town Administrator, with enclosures, re: Proposed Charter Amendments for November Ballot.**

## **PUBLIC FORUM SESSION**

**7. Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting.**

## **PRESENTATION**

**8. Resolution of the Council, re: Commendation Middletown High School Boys Tennis Team.**

## **BOARD OF LICENSE COMMISSION**

**9. Petition of Olin D. Gambrell, President and Vilma Parsonage, Bar Manager of the All-Vets Club, 985 Aquidneck Avenue, re: Request for expansion of Class D Alcoholic Beverage License to provide outdoor service on June 24, 2012, beginning at 12:00 noon for the All-Vets Club annual Viking Riders Blessing of the Bikers Fundraiser.**

**10. Petition of Olin D. Gambrell, President and Vilma Parsonage, Bar Manager of the All-Vets Club, 985 Aquidneck Avenue, re: Request for expansion of Class D Alcoholic Beverage License to provide outdoor service on August 25, 2012, beginning at 1:00 p.m, for the All-Vets**

**Club Annual Clam Boil Fundraiser for Charities, all Veterans and Families and also the Children's Christmas Party.**

**11. Petition of Olin D. Gambrell, President and Vilma Parsonage, Bar Manager of the All-Vets Club, 985 Aquidneck Avenue, re: Request for expansion of Class D Alcoholic Beverage License to provide outdoor service on September 22, 2012, beginning at 12:00 noon, for the All-Vets Club Memorial Dedication – 2nd Anniversary for all fallen Sisters and Brothers and all Branches of the Military.**

## **CONSENT**

**12. Approval of Minutes – Regular Meeting, May 21, 2012.**

**13. Approval of Minutes – Special Meeting, May 23, 2012.**

**14. Communication of Tax Assessor, with enclosures, re: Cancellation of taxes for certain Middletown residents.**

**15. Resolution of the Council, re: Cancellation of taxes for certain Middletown residents.**

**16. Proclamation of Town of East Greenwich, re: Proclaiming the month of May 2012 at Brain Tumor Awareness Month.**

**17. Application of HPK, Inc. dba Tickets, 15 Aquidneck Avenue, for**

**RENEWAL of a Mechanical Amusement License for the 2012-2013 licensing year. (1 Juke Box, 1 Pool Table and 6 Games)**

**18. Application of Lee Patrick Richardson dba Richardson's Ice Cream, Portsmouth, RI, for RENEWAL of a Peddler's License for the 2012-2013 licensing year.**

**19. Application of William Anthony Excavating, Inc., North Kingstown, RI, for RENEWAL of a Drain Layer's License for the 2012-2013 licensing year.**

## **LICENSE & PERMITS**

**20. Application of Longade, LLC dba Del's Lemonade, Middletown, for RENEWAL of a Hawker's License (Benny's Parking Lot) for the 2012-2013 licensing year. (Permission given from Benny's)**

**21. Applications (2) of John Messenger dba Jay Vending Company, Maryland, for a Hawker's License (Second Beach) for the 2012-2013 licensing year. (NEW)**

**22. Application of John Ashley, Jr. dba Castaway Gourmet, LLC, Portsmouth, Rhode Island for a Hawkers License for the 2012-2013 licensing year. (NEW; Permission given from Linear Title & Closing, 127 John Clarke Road)**

**23. Application of Newport Vineyards, 909 East Main Road, for a one day Amusement License on June 16, 2012 – Comedy Show.**

**24. Application of Newport Vineyards, 909 East Main Road, for a two day Amusement License on July 27 & 28, 2012 – Shakespeare Performance.**

**25. Application of Newport Vineyards, 909 East Main Road, for a one day Amusement License on August 2, 2012 – Jazz Performance.**

**26. Application of American Promotional Events dba TNT Fireworks, 1315 West Main Road, for a Holiday Sales License for the 2012-2013 licensing year. (NEW)**

**27. Application of BJ Alan Company dba Phantom Fireworks, 741 West Main Road, for a Holiday Sales License for the 2012-2013 licensing year. (NEW)**

## **ORDINANCES**

**28. An Ordinance of the Town of Middletown (Second Reading)**

**An Ordinance in Amendment to the Town Code of the Town of Middletown, Title XI: Business Regulations, Chapter 116 Taxicabs.**

**29. An Ordinance of the Town of Middletown (First Reading)**

**An Ordinance in Amendment to the Town Code of the Town of Middletown, Title VII, Traffic Code. (Speed Limit – Casey Drive, Donald Drive, Murphy Circle and Orville Drive)**

## **OTHER COMMUNICATIONS**

**30. Email memorandum of William F. Horan, Middletown, re: East Bay Energy Consortium.**

## **TOWN ADMINISTRATOR COMMUNICATION**

**31. Memorandum of the Town of Town Administrator, with enclosures, re: Revised Legislation for East Bay Energy Consortium 2012 – S2870 Sub A.**

**32. Memorandum of Town Administrator, with enclosure, re: Revised Wind Turbine Ordinance.**

**33. Resolution of the Council, re: Wind Turbine Moratorium.**



## **APPOINTMENTS TO BOARDS AND COMMITTEES**

**34. Appointment of one (1) member to the Substance Abuse Prevention Task Force for a term expiring April 2015.**

**Wendy J.W. Marshall, CMC  
Town Clerk**

**This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office not less than 48 hours before this meeting.**